

REMARKS

Claims 45-48 and 50-54 are pending. Claims 46, 53, and 54 have been amended in this response. No claims have been canceled, and no new claims have been added. Claims 45-48 and 50-54 therefore will be pending upon entry of the above amendments.

Claims 45-48, 50, and 51 have been objected to due to the recitation of the term “freestanding” to describe the ends or the leading edge of a flexible contact element. In particular, the Examiner has contended that it is unclear what structure would or would not infringe these claims because the term “freestanding” is not found in the specification.

In response, Applicant respectfully notes that the subject matter of a claim need not be described literally (i.e., using the same terms or *in haec verba*) for a disclosure to satisfy the written description requirement. (*Manual of Patent Examining Procedure, Eighth Edition, Rev. 5, Aug. 2006 (MPEP), § 2163.02*). The ordinary meaning of “freestanding” is “standing alone or on its own foundation free of . . . attachment” (*Webster’s Third New International Dictionary, 2002, Merriam Webster Inc., at pg. 907*); an excerpt of this reference is attached hereto for the convenience of the Examiner.

Figures 4-6 of the present application depict a flexible contact element (40) having opposing ends that are freestanding, i.e., that stand alone free of attachment. Applicant therefore respectfully submits that Figures 4-8, in conjunction with the ordinary meaning of “freestanding,” adequately identify the claimed structure of claims 45-48, 50, and 51.

Claims 52-54 have been objected to due to the recitation of the term “unconstrained” to describe the ends or the leading edge of a flexible contact element. Claims 52 and 54 have been amended herein to replace the term “unconstrained” with “freestanding.” Applicants respectfully submit that Figures 4-8, in conjunction with the ordinary meaning of “freestanding,” adequately identify the claimed structure of claims 52-54.

Claim 54 has been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. patent no. 5,643,018 (“the Sakai patent”). Claims 45-48 and 50-53 have been rejected under 35 U.S.C. § 103(a) as being obvious over the Sakai patent. Applicant respectfully traverses these rejections.

Claim 45 of the present application recites, *inter alia*, a flexible contact element at least partially disposed within the contact section and retained by the contact section so that

opposing freestanding ends of the flexible contact element can move in relation to the contact section.

The Examiner has characterized the contact plate (4) of the receptor portion (1A) of the Sakai patent as a contact element as recited in claim 45 of the present application (*office action at pg. 9, first figure*). The contact plate (4) adjoins the bottom wall (1) of the receptor portion (1A). The contact plate (4) therefore does not have ends that are freestanding, i.e., the ends of the contact plate (4) do not stand alone or on their own foundation free of attachment. Rather, one end of the contact plate (4) is attached to the bottom wall (1) of the receptor portion (1A). Applicant therefore respectfully submits that claim 45 is patentably distinct from the Sakai patent.

Claim 45 also recites, *inter alia*, wherein . . . the first set of walls is positioned between one of the freestanding ends of the flexible contact and the insertion pathway.

The Examiner has characterized the front ends (2b) of the receptor portion (1A) of the Sakai patent as a first set of walls as recited in claim 45 of the present application (*office action at pg. 8, first figure*). The Examiner has characterized the area between the front ends (2b) as a pathway as recited in claim 45 (*Id.*).

The Examiner has contended that Figure 5 of the Sakai patent shows that an end of the contact plate (4) (“the freestanding leading edge”) is separated from a pathway defined by the front ends (2b) (“the insertion pathway”) by the front ends (2b) (“the first set of walls”) (*Id. at pg. 6, lines 1, 2*). Applicants respectfully disagree. Figure 9 of the Sakai patent, reproduced on page 8 of the office action, shows that the contact plate (4) is positioned entirely behind the front ends (2b). The front ends (2b) therefore cannot be positioned *between* the contact plate (4) and any pathway that may be defined by the front ends (2b). Moreover, Applicant is confused by the Examiner’s reference to Figure 5 of the Sakai patent; Figure 5 depicts a different embodiment from that depicted in Figure 9, which the Examiner has contended discloses the other elements of claim 45. Clarification is respectfully requested.

Applicant therefore respectfully submits that the Sakai patent neither teaches or suggests a first set of walls positioned between a freestanding end of a flexible contact and an insertion pathway, in contradistinction to claim 45 of the present application. Applicant

respectfully submits that claim 45 is patentably distinct from the Sakai patent for this additional reason.

Withdrawal of the rejection of claim 45 (and claims 46 and 47, which depend therefrom) under 35 U.S.C. § 103(a) is respectfully requested.

Claim 46 has been amended to recite wherein the flexible contact element includes a leading edge that is positioned in its entirety outside of the contact section. Figure 9 shows that a leading edge of the contact plate (4) of the Sakai terminal, which the Examiner has characterized as a contact element as recited in claim 46, is positioned at least in part within the lateral walls (2) of the Sakai terminal, which the Examiner has characterized as forming part of the contact section as recited in claim 46. Applicant therefore respectfully submits that the Sakai patent neither teaches nor suggests a flexible contact element that includes a leading edge that is positioned in its entirety outside of a contact section. Applicant respectfully submits that claim 46 is patentably distinct from the Sakai patent for this additional reason.

Claim 47 recites, *inter alia*, wherein the flexible contact element includes a leading edge, and wherein the female electrical terminal is devoid of any structure prohibiting frontal access to the flexible contact element leading edge. The Examiner has asserted that Figure 2 of the Sakai patent discloses these features (*office action at pg. 6, lines 24-26*). Figure 2, however, depicts a different embodiment than that depicted in Figure 9, which the Examiner has contended discloses the other elements of claim 47. Applicant respectfully submits that the Sakai patent neither teaches nor suggest every element of claim 47 arranged as required by the claim.

To anticipate a claim, a reference must teach every element of the claim. The identical invention must be shown in as complete detail as is contained in the claim, and the elements must be arranged as required by the claim. (*Manual of Patent Examining Procedure, Eighth Edition, Rev. 5, Aug. 2006 (MPEP), § 2131 (additional citations omitted).*) Applicant respectfully submits that claim 47 is patentably distinct from the Sakai patent for the reasons discussed above in relation to claim 45, and in addition, because the Sakai patent does not teach or suggest every element of claim 47 arranged as required by the claim.

Claim 48 recites, *inter alia*, the flexible contact element including a freestanding leading edge that is . . . separated from the insertion pathway by the first set of walls. The

Sakai patent neither teaches nor suggests these limitations, for substantially the same reasons discussed above in relation to claim 45. Applicant therefore respectfully submits that claim 48 is patentably distinct from the Sakai patent.

Withdrawal of the rejection of claim 48 (and claims 50 and 51, which depend therefrom) under 35 U.S.C. § 103(a) is respectfully requested.

Claim 50 recites, *inter alia*, wherein the female electrical terminal is devoid of any structure prohibiting frontal access to the flexible contact element leading edge. Applicant therefore respectfully submits that claim 50 is patentably distinct from the Sakai patent for substantially the same reasons discussed above in relation to claim 47, as well as the reasons discussed above in relation to claim 48.

Claim 52 recites the flexible contact element including a freestanding leading edge that is positioned within the space on an opposite side of the first set of walls from the insertion pathway. The Sakai patent neither teaches nor suggests these limitations, for substantially the same reasons discussed above in relation to claim 45. Applicant therefore respectfully submits that claim 52 is patentably distinct from the Sakai patent.

Withdrawal of the rejection of claim 52 (and claim 53, which depends therefrom) under 35 U.S.C. § 103(a) is respectfully requested.

Claim 53 recites, *inter alia*, wherein the female electrical terminal is devoid of any structure prohibiting frontal access to the flexible contact element leading edge. Applicant therefore respectfully submits that claim 53 is patentably distinct from the Sakai patent for substantially the same reasons discussed above in relation to claim 47, as well as the reasons discussed above in relation to claim 52.

Claim 54 has been amended to recite wherein . . . one of the freestanding ends of the flexible contact element is isolated from the insertion pathway by the set of converging walls. Applicant respectfully submits that the Sakai patent neither teaches nor suggests these limitations, for substantially the same reasons discussed above in relation to claim 45.

Withdrawal of the rejection of claim 54 under 35 U.S.C. § 102(b) is respectfully requested.

DOCKET NO.: FCI-2632/C3069
Application No.: 09/989,271
Office Action Dated: November 16, 2006

PATENT

A notice of allowability is respectfully requested.

Date: February 15, 2007

/Frank T. Carroll/
Frank T. Carroll
Registration No. 42,392

Woodcock Washburn LLP
Cira Centre
2929 Arch Street, 12th Floor
Philadelphia, PA 19104-2891
Telephone: (215) 568-3100
Facsimile: (215) 568-3439